



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

June 12, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

46 June 12, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**226TH STREET PEDESTRIAN BRIDGE OVER COYOTE CREEK  
REMOVAL PROJECT – ACCEPTANCE OF CONTRACT  
AND RESOLUTION OF SUMMARY VACATION OF AN EASEMENT  
CITIES OF HAWAIIAN GARDENS AND LONG BEACH  
(SUPERVISORIAL DISTRICT 4)  
(3 VOTES)**

### **SUBJECT**

This action is to accept the completed Public Works construction contract that removed an obsolete pedestrian bridge over Coyote Creek located just southerly of 226th/Woodson Street and restored the adjoining channel access roads, embankments, and fencing in the Cities of Hawaiian Gardens and Long Beach and to vacate the corresponding Easement for pedestrian bridge purposes.

### **IT IS RECOMMENDED THAT YOUR BOARD:**

1. Accept the completed contract work under Project ID No. RDC0015507 226th Street Pedestrian Bridge over Coyote Creek Removal Project, which included the removal of an obsolete pedestrian bridge over Coyote Creek and restoration of adjoining facilities located in the Cities of Hawaiian Gardens and Long Beach, performed by Garcia Juarez Construction, Inc., with a final contract cost of \$185,137.
2. Find that the proposed vacation of the Easement for pedestrian bridge purposes over Coyote Creek located just southerly of 226th/Woodson Street in the City of Long Beach is exempt from the provisions of the California Environmental Quality Act.
3. Find that the Easement for pedestrian bridge purposes over Coyote Creek located just southerly of 226th/Woodson Street in the City of Long Beach has not been used for the purpose for which it

was acquired for 5 consecutive years immediately preceding this action.

4. Adopt a Resolution of Summary Vacation.

5. Authorize the Director of Public Works or her designee to record the original resolution with the office of the Registrar-Recorder/County Clerk.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions are to obtain your Board's acceptance of the work of the contract in compliance with the provisions of the State Public Contract Code, find that the proposed vacation is exempt from California Environmental Quality Act, and allow the County of Los Angeles (County) to vacate the Easement for pedestrian bridge purposes over Coyote Creek located just southerly of 226th/Woodson Street (Easement) in the City of Long Beach, since it no longer serves the purpose for which it was dedicated and is not required for public use.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will accept the work that removed an obsolete pedestrian bridge and restored the adjoining infrastructure for the benefit of our communities and improvement of their quality of life and will terminate an unnecessary Easement, thereby reducing the County's exposure to potential liability.

#### **FISCAL IMPACT/FINANCING**

The modification to the contract amount is a decrease of \$5,503.80, while the final value of the contract is \$185,137. Ratification of the changes in work and acceptance of the work of this contract by your Board is in compliance with the acceptance and prompt payment provisions of the State Public Contract Code. A detailed cost breakdown for the changes together with a contract cost summary is included in the enclosure.

On June 14, 2011, your Board approved the delivery of the project using \$439,000 in Fourth Supervisorial District funds from the Fiscal Year 2010-11 and carried forward to Fiscal Year 2011-12 into Public Works General Fund Budget and \$96,000 in Proposition C Local Return funds. The total project cost is now estimated to be \$562,500, exceeding the approved amount of \$535,000 by \$27,500. The additional \$27,500 is available in the Fourth Supervisorial District's Road Construction Program in the Fiscal Year 2011-12 Proposition C Local Return Fund Budget.

Also, the City of Long Beach assigned \$150,000 in Federal Surface Transportation Program-Local (STP-L) to the County pursuant to Agreement No. PW06141137A as its contribution toward the cost of the project. Since the project is not eligible for the use of Federal funds, the City of Long Beach's contribution of Federal STP-L funds will be used for a separate road improvement project located in the Fourth Supervisorial District.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

This construction contract was awarded to a responsible contractor with the lowest responsive bid in accordance with the State Public Contract Code, your Board's directives, and as recommended by the Director or her designee. Acceptance of the work is required to make final payment to the

contractor, release of retention, and necessary to complete the contract.

Included in the enclosure are the project and contract data and the work to be accepted. The Director of Public Works (Director) or her designee has been authorized by your Board to order changes in work up to \$10,000 for construction contracts. Changes to accommodate field conditions in order to meet the intent of the plans and specifications are not subject to this monetary limitation. Enclosed for your ratification are changes in work that the Director ordered for this project. Project construction has been completed, and it is recommended that your Board accept the work on the date indicated in the enclosure.

The pedestrian bridge spanned the Los Angeles County Flood Control District's (LACFCD) Coyote Creek channel located just southerly of 226th/Woodson Street in the City of Long Beach. The bridge was constructed by a private developer for the Bloomfield/ABC Unified School District in the 1960s to provide pedestrian access across the channel to Hawaiian Elementary School in the City of Hawaiian Gardens. At some point, the School District determined the access provided by the bridge and adjoining pedestrian Easement was not necessary and closed access to the bridge. With concerns of public safety, the Department of Public Works (Public Works) installed locks on the bridge gates in 2006. Following a 2006 bridge inspection, Public Works determined the bridge was functionally obsolete and structurally/seismically deficient. Upon consultation with Public Works of the design options to upgrade the bridge to meet standards, the Cities of Hawaiian Gardens and Long Beach each opted to remove the bridge and provided Public Works with the approvals to do so and to vacate the pedestrian Easement. The bridge remained closed through its demolition in November of 2011 under this contract.

To resolve ownership issues necessary for the County to remove the bridge and vacate the Easement, on June 14, 2011, your Board accepted quitclaims from the Cities of Hawaiian Gardens and Long Beach that relinquished their rights, title, and interest in and Easement for the bridge. Previously, the Bloomfield/ABC Unified School District had quitclaimed its interest to the City of Hawaiian Gardens. Vacation is necessary to terminate the County's rights and interest in the Easement and in effect will extinguish the Easement.

The Easement area is approximately 17,330 square feet, located in the City of Long Beach, and is shown on the map attached to the enclosed Resolution of Summary Vacation. The County's original interest in the Easement was acquired by deed, recorded in Book D2801, page 163, of Official Records on February 16, 1965, in the office of the Registrar-Recorder/County Clerk of the County as an Easement. The Easement was included in an area annexed by the City of Long Beach in 1965, however, there is no clear record regarding the transfer of the Easement from the County to the City of Long Beach. The Easement has never been maintained by the County and this area has never been used for County highway purposes.

As discussed above, the Easement has not served to provide pedestrian bridge access for many years and has no future purpose. The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service Easement if an Easement has not been used for the purpose for which it was dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation.

In order to resolve all ownership issues and allow the County to remove the bridge and vacate the Easement, the City of Long Beach previously quitclaimed any and all rights, title, and interest, whatever they may be to the County.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights

and interest in the Easement, which will in effect extinguish the Easement.

### **ENVIRONMENTAL DOCUMENTATION**

The Easement vacation is categorically exempt from the California Environmental Quality Act (CEQA). The Easement vacation is within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15305 and 15321 of the State CEQA Guidelines. In addition, the project is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemptions inapplicable based on the project records.

On June 14, 2011, your Board found the project to remove the pedestrian bridge to be categorically exempt from the provisions of the CEQA, pursuant to Sections 15301(b) and (c) of the State CEQA Guidelines and Class 1(e) and (f) of the County's Environmental Reporting Procedures and Guidelines, Appendix G.

### **CONTRACTING PROCESS**

The contract provided for the contractor to be compensated and/or not compensated due to changes in the work as a result of changes to the original plans and specifications or changed conditions encountered during the course of construction. The costs of these changes were based on contract unit prices, time and materials methods, or were negotiated under the provisions of the contract specifications. The methods for arriving at the final costs of the changes are included in the enclosure.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Ratification of the requested changes, acceptance of the work of the contract, and vacation of the Easement by your Board will ensure the timely closeout of the contract, release of County assets for other construction-related activities, and reduce County exposure to potential liability.

**CONCLUSION**

Please return three adopted copies of this letter to the Department of Public Works, Programs Development, Survey/Mapping & Property Management, and Construction Divisions. In addition, please return one original and one copy of the Resolution to the Department of Public Works, Survey/Mapping & Property Management Division together with a copy of your Board's minute order.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER  
Director

GF:JTW:dg

Enclosures

c: Auditor-Controller (Accounting Division - Asset  
Management)  
Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Office of Affirmative Action Compliance

ACCEPTANCE OF CONTRACT  
June 12, 2012

PROJECT ID NO. RDC0015507, 226TH STREET PEDESTRIAN BRIDGE OVER

COYOTE CREEK (in the Cities of Hawaiian Gardens and Long Beach), Supervisorial District 4

Contractor: Garcia Juarez Construction, P.O. Box 309, Brea, California 92822-0309

Project Description: Removal of an obsolete pedestrian bridge and restoration of adjacent flood control channel access roads.

Project Completion Date: The contractor completed the project on January 25, 2012, in accordance with the plans and specifications. In the process of construction the contractor requested to work four hours of overtime and was contractually required to credit the County for the cost of \$400.00.

Final Contract Amount:

Original Contract Amount	\$190,640.80
Changes in Work Authorized by the Director of Public Works	(5,103.80)
Overtime Inspection	<u>(400.00)</u>
FINAL CONTRACT AMOUNT	<u>\$185,137.00</u>

TKB:dg

**RESOLUTION OF SUMMARY VACATION  
FOR VACATION OF A PEDESTRIAN BRIDGE EASEMENT OVER COYOTE CREEK  
SOUTH OF 226TH/WOODSON STREET**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for pedestrian bridge purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, over Coyote Creek south of 226th/Woodson Street, is located in the City of Long Beach in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the date of adoption of this Resolution.
3. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, State of California, commencing with Section 8330.
4. The Director of Public Works is authorized to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will be terminated.
5. From and after the date this Resolution is recorded, the Easement will no longer constitute a street, highway, or public service easement.

The foregoing Resolution was adopted on the 12<sup>th</sup> day of June, 2012, by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

APPROVED AS TO FORM:

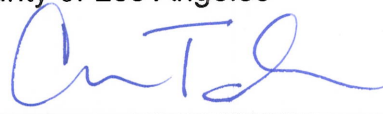
JOHN F. KRATTLI  
Acting County Counsel

By

  
Deputy

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By

  
Deputy



GT:mr

## EXHIBIT A

Project Name: **PEDESTRIAN BRIDGE SOUTH OF  
226TH/WOODSON STREET 65-1VAC**

A.I.N. 7076-026-908 (Portion)

T.G. 767-A7

I.M. 039-257

R.D. 445

S.D. 4

X7402037

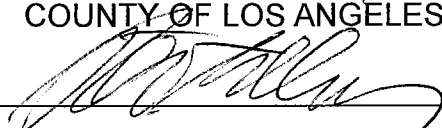
### LEGAL DESCRIPTION

#### PARCEL NO. 65-1VAC (Vacation of easement):

That portion of the southeast quarter of Section 18, T. 4 S., R. 11 W., in Rancho Los Coyotes, as shown on a copy of a map made by Charles T. Healey, recorded in Book 41819, pages 141 to 185, inclusive, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within that certain parcel of land described in deed to LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, recorded on February 16, 1965, as Instrument No. 4922, of said Official Records.

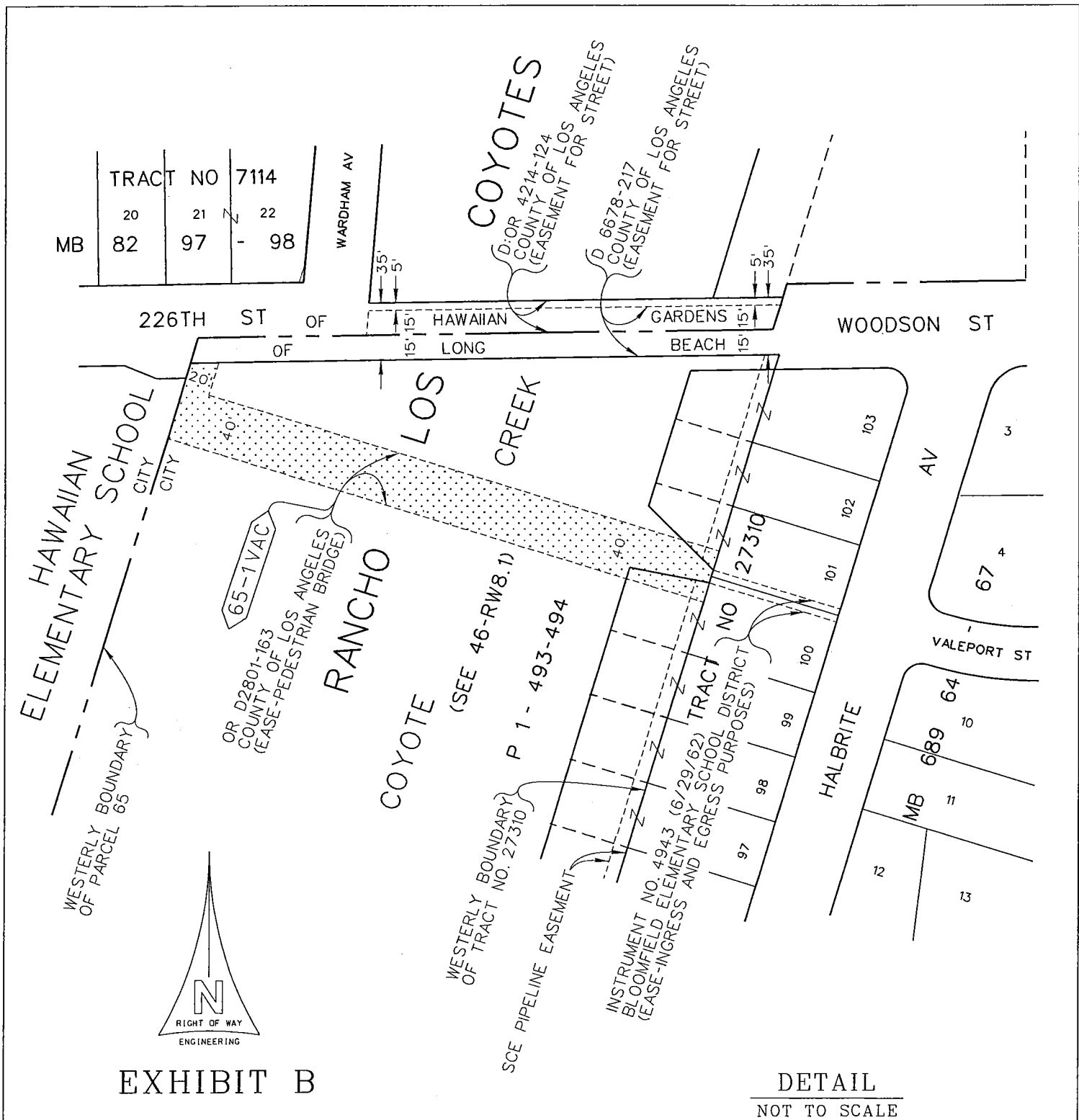
Containing: 17,330± square feet



APPROVED AS TO DESCRIPTION	
MARCH 20, 2012	
COUNTY OF LOS ANGELES	
By	
LICENSED LAND SURVEYOR	
Survey/Mapping & Property Management Division	







LEGEND				REVISIONS		
Proposed vacation of pedestrian bridge easement described in OR D2801-163. Total Area = 17,330± SQ.FT.				1.	2.	3.
DEPARTMENT OF PUBLIC WORKS				SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION		
SD. 4	RD. 445	A.I.N. 7076-026-908	T.G. 767-A7	PEDESTRIAN BRIDGE SOUTH OF 226TH/WOODSON STREET (OVER COYOTE CREEK) (RDC0015507)		DRAWING NO. X7402037-2
SCALE NONE		DATE 1-11-12	I.M. 039-257			